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neither can it give any adequate idea of the enormous value of the finished product. Regarded as a mere digest, the work is invaluable because it brings to the surface not only all the familiar matter but also many points of interest and value which have heretofore not been digested at all.

But it is from the standpoint of the citations that this work is most important. With industry and patience little short of marvelous, all Federal and State reports have been searched for citations of each of the cases reported in the United States reports; notes and abstracts of the cases so citing them have been made; and the whole enormous mass has been classified, arranged, condensed and rewritten until under each point decided in the original case there is to be found collected not merely a list of the other cases in which that case has been cited but statements of the point and holding of each of these citing cases, so that the full and precise effect of all is obvious at a glance.

The amount of "side-light" which this system of annotation throws not merely on the case itself but upon the whole range of questions more or less closely related to it, is remarkable, as a single illustration may serve to indicate. *Brown v. Maryland* (12 Wheat. 410) involved primarily but one question—the right of the state to tax the importer or the importation of goods. Incidentally many other questions were discussed, or suggestions made, the "original package" doctrine perhaps being the most conspicuous. These discussions and suggestions have since proved to be extremely fertile, and the annotation of this case shows that thirteen such related points have been gathered from it and applied in 231 Federal and 224 State cases.

The United States reports are invaluable to every practitioner. In the Federal field—and all the movements of the times are tending to increase its scope and influence—these decisions are, of course, supreme and final; but even in that field wherein, by reason of the residence of the parties and the like, questions of general law arise for determination, the decisions of the Supreme Court have come to be almost authoritative. If any proof of this were needed, these Notes themselves furnish conclusive evidence in the countless instances in which the Federal cases have been cited, approved and followed by the State tribunals. Even without the United States reports, the Notes would be of very great value and importance, but to the owner of those reports these Notes are indispensable. The books are well printed and bound, and in quantity the measure is overflowing, as the volumes will average more than 1000 pages each.

FLOYD R. MECHEM

BRITTON: An English translation and notes, by Francis Morgan Nichols, of Lincoln's Inn, Barrister at Law, with an Introduction by Hon. Simeon E. Baldwin, LL.D., professor of law in Yale University, John Byrne & Co., Washington, D. C., 1901. Sheep, 8vo. pp. xxvii, 649.

This is the second volume in the Legal Classic Series—a very commendable project by the publishers to reprint the early treatises of the English Law. Lord Coke calls Britton "an excellent work written in the days of Edward I, of the common laws, which remain to this day." Blackstone speaks of the author as one of those "to whom great veneration is paid by students of the common law," cited as authority, and "for the most part law at this day." Reeves says, in the older works the law was "disguised in the Latin tongue,

whereas Britton addresses you in the technical style of the law," and Finlason adds "its study is a highly desirable, if not an absolutely essential preliminary to the study of the Year Books," the first of which dates from 1292. It is further of historic value as the first text-book of English law in the Norman-French, instead of Latin; as the first English attempt at codification; and as embodying the policy of the astute king to "warp and wrest the common law . . . in favor of the royal prerogative, and represent the whole administration of justice as depending on the royal authority." Its words are "We have caused," "We will and command," etc.

In the six books and 129 chapters are treated, Authority of Justices and Officers, Personal Pleas, Pleas of the Crown, including forgeries, counterfeiting, murder, treason, arson, burglary, rape, larceny; Treasure-trove, Franchises, Wrongs, Appeals, Distress, Weights and Measures; Disseisins, Estates, and the wrongs thereto; Intrusions interfering with feudal incidents. Pleas relating to advowsons and church property; Dower and entry; Proprietary Actions, including pleas of right, heirs, successions, inheritance, degrees of kindred, essoins and attorneys.

The definitions are valuable—"A freehold is a possession of the soil or of services issuing out of the soil by a freeman, holding a fee to him and his heirs, or at least for term of life." "Some things are corporeal, as those which one may touch." "A title to freehold may be acquired . . . by succession of inheritance, feoffment, confirmation, quit claim, recognizance, judgment, escheat, reversion, dower, curtesy, fee tail, in mortgage, or by condition."

The date and authorship are uncertain. More than twenty-five manuscript copies of the fourteenth century are still extant in England. One of these, now in Cambridge University Library, calls the book "*Summa de legibus Anglie que vocatur Bretonne*;" and in 1330 "a book called Bretoun," was bequeathed to the Guildhall in London. It was printed in Latin (Redman) in 1530, as "an oracle of the law;" in Norman-French (Wingate) in 1640; in English (Kelham) in 1762; and in 1865 Mr. Nichols published both the French text and the English translation here given. Judge Baldwin's short and interesting introduction takes the place of the much longer one of Mr. Nichols, but Mr. Nichols' notes are preserved.

The monk Florilegus, in 1342, attributes the book to John Breton, bishop of Hereford. Coke accepts this and adds, the bishop was of "great and profound judgment in the Common Laws." Prisot, C. J., in 1457, stated the book was written by the bishop in 1277. Since the bishop died in 1275, and the book refers to statutes of 1285, and 1290, there is difficulty here. Selden thought it was "a royal abridgment of Bracton," whose name was frequently spelled Briton or Breton; but it contains very little of Bracton, and that differently arranged. Others surmise it was written by some one of the judges commissioned by Edward, of whom there were John le Breton (1300), Johannes de Barton de Riton (1304), and John de Bretaign (1305). Nichols places the date as probably 1291. Wingate after reviewing the authorities thinks the bishop wrote it, and Edward adopted it and added the statutes, but adds: "When all is said that may be, concerning questions of this nature, yet every one must and will be therein wholly left to the latitude of his own fantasie." And so we leave it.

The work is finely printed on good paper, with full table of contents and good index. Of the Legal Classic Series, Glanville is the first volume, and Britton the second, skipping over the great work of Bracton. It is hoped the publishers will find some way to include this in the list, and make it more available than the ponderous volumes of the Twiss edition.

H. L. WILGUS

REVIEWS TO FOLLOW:

Cyclopaedia of Law and Procedure.

Page on Wills.

May on Insurance.

Elliott on Insurance.

Chatterton's Probate Law.

American State Reports.

Freeman on Void Judicial Sales.

Hammon on Chattel Mortgages (Michigan and Illinois).

Hirsch's Tabulated Digest of Divorce Laws.